



# CHEROKEE COUNTY

75 Peachtree Street  
Murphy, NC 28906  
828-837-5527

*Randy Wiggins, County Manager  
Candy R. Anderson, CPA, Finance Officer  
Darryl R. Brown, County Attorney*

***Board of Commissioners***

*Dr. Dan Eichenbaum, Chairman  
Gary Westmoreland, Vice-Chairman  
Cal Stiles, Member  
C.B. McKinnon, Member  
Roy Dickey, Member  
Maria Hass, Clerk to Board*

**RESOLUTION OF THE CHEROKEE COUNTY BOARD OF COMMISSIONERS  
EXERCISING ITS POWERS TO ASSUME CONTROL OF THE CHEROKEE COUNTY  
DEPARTMENT OF SOCIAL SERVICES BOARD**

WHEREAS, the Cherokee County Board of County Commissioners, pursuant to NCGS 153A-76 exercises authority over organization of county government; and

WHEREAS, NCGS 153A-77 provides for jurisdiction by the Board of County Commissioners over commissions, boards and agencies of county government, and it becomes necessary and appropriate from time to time to reorganize agencies, commissions and boards in such a way as to promote efficiency and effectiveness in county government; and

WHEREAS, it has become necessary and appropriate for the Cherokee County Board of Commissioners in order to promote the health, safety and welfare of the citizens of Cherokee County, and most especially the children residing herein, to reorganize the Cherokee County Department of Social Services Board; and

WHEREAS, the Cherokee County Board of Commissioners announced in open session at its regularly scheduled meeting on 20 August 2018 in no less than 30 days the Board of Commissioners would conduct a public hearing to consider the issue of reorganization of Cherokee County Health and Human Services providers. Such notice of public hearing was also published in the Cherokee Scout, a newspaper of general circulation in Cherokee County, North Carolina; and

WHEREAS, on 20 September 2018 at a regularly scheduled meeting of the Cherokee County Board of Commissioners, a public hearing was held at which all in attendance were provided opportunity to be heard.

IT IS NOW THEREFORE RESOLVED, by the Cherokee County Board of Commissioners pursuant to NCGS 153A-77 that the Cherokee County DSS Board is hereby dissolved, and the Cherokee County Board of Commissioners shall assume all of the rights, responsibility and oversight authority as authorized under Article 1 of North Carolina General Statute Chapter 108A.

- Required meetings as mandated by NCGS 108A-7 shall coincide with each regular meeting of the Cherokee County Board of Commissioners, with the first meeting being



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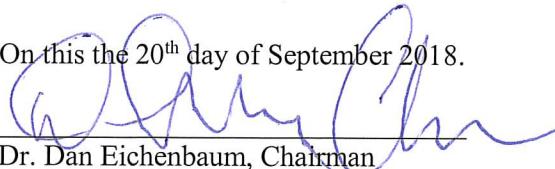
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on 1 October 2018. Furthermore “Department of Social Services Issues” shall be placed on the agenda of each regularly scheduled meeting of the Cherokee County Board of Commissioners to be addressed by the Board as necessary and appropriate in its function as the DSS Board. Minutes of DSS Matters shall be taken in conjunction with the regular minutes of the meeting of the Cherokee County Board of Commissioners.

- The Cherokee County DSS Attorney shall consult with the Board on all matters regarding the Department of Social Services. The DSS Attorney shall serve and advise separate and apart from the County Attorney in DSS matters, including but not limited to matters in executive session.
- All 5 members of the Cherokee County Board of Commissioners shall be ex officio members of the DSS Board and new members of the board shall assume such duties as DSS board members upon the due execution of the oath of office as a county commissioner. The Chair and Vice-chair of the Cherokee County Board of Commissioners shall serve as the ex officio Chair and Vice-chair of the DSS Board.
- The Director of the Cherokee County Department of Social Services shall retain all of the authorities and duties as prescribed in NCGS 108A-14.
- The Cherokee County Board of Commissioners shall have the duty and responsibility to hire and fire the DSS Director and the DSS Attorney.
- The Cherokee County Board of Commissioners shall attend and complete required training for members of a DSS Board as soon as such may be practicable and may claim such per diem expenses as authorized by NCGS 108A-8 and consistent with the Cherokee County Personnel Policy and Procedure manual.

THIS RESOLUTION is hereby adopted after public hearing and vote as recorded in the minutes of the Cherokee County Board of Commissioners as witnessed by the signatures of the Chairman of the Board of Commissioners and the Clerk to the Board below.

On this the 20<sup>th</sup> day of September 2018.

  
Dr. Dan Eichenbaum, Chairman

  
Maria Hass  
Clerk to the Board